



AF 1733

Attorney Docket No.: 94-36-3-US-D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Werenicz et al.

Serial No.: 09/057,406

Filed: April 8, 1998

Title: METHOD FOR PRODUCING A CONTINUOUS THERMOPLASTIC COATING

Art Unit: 1733

Examiner: J. Aftergut

Assistant Commissioner for Patents

Washington, D.C. 20231

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RESPONSE

In response to the outstanding Office action dated July 31, 2001, Applicants submit the following remarks.

Remarks

Applicants' attorney, Allison Johnson, would like to thank the Examiner for extending her the courtesy of an interview on October 25, 2001. During that interview the Examiner indicated that all of the other references that he was able to locate regarding thermoplastic compositions that met a viscosity characteristic of the claims disclosed direct contact coating methods and that the Maletsky et al. reference was the only reference that did not specify the coating method. Applicants believe that this is telling as to the unique nature of Applicants' invention, as well as to the likelihood that the extrusion method actually used by Maletsky et al. was a direct contact coating method.

Claims 2-6, 8-12, 33-36, 38-42, 44 and 46-56 stand rejected under 35 U.S.C. § 103 over Maletsky et al. (U.S. 4,998,928) in view of Cardinal et al.

Maletsky et al. disclose a moisture proof adhesive coating composition that includes an antioxidant and a blend of an amorphous polymer of propylene, a crystalline polymer of propylene and a resinous mixture of C<sub>4</sub> to C<sub>10</sub> hydrocarbons. Applicants note that, in contrast to the statements in the Office action, Maletsky et al. do not seek to obtain a breathable film.

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

October 31, 2001

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Allison Johnson

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